

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

WESTFIELD INSURANCE COMPANY,

Plaintiff,

v.

CIVIL ACTION 3-17-CV-04602

**BPI, INC.,
JOHN C. WELLS,
KRISTEN WELLS,
BRIAN RITZ, and
KARIN RITZ,**

Defendants.

JOINT NOTICE OF SETTLEMENT

Plaintiff, Westfield Insurance Company, by counsel, George N. Stewart, Dara DeCourcy, and Zimmer Kunz, PLLC, and Defendants BPI, Inc., John C. Wells, and Kristen Wells, by counsel, Mary K. Prim and Sarah A. Walling and Jenkins Fenstermaker, PLLC, hereby notify the Court that the above-styled matter has been resolved through settlement of Civil Action No. 17-C-22, which is pending in the Circuit Court of Putnam County, West Virginia (“the Underlying Case”). Counsel are finalizing joint settlement documents in the Underlying Case and in this case and will thereafter file an appropriate Stipulation for Dismissal and Agreed Order of Dismissal for the Court’s consideration.

Respectfully submitted,

/s/ Dara A. DeCourcy

George N. Stewart (WVSB #5628)
Dara A. DeCourcy (WVSB #7034)
Zimmer Kunz, PLLC
132 S. Main St. Ste. 400
Greensburg, PA 15601

/s/ Sarah A. Walling

Robert H. Sweeney, Jr. (WVSB #5831)
Sarah A. Walling (WVSB #11407)
Jenkins Fenstermaker, PLLC
P.O. Box 2688
Huntington, WV 25726

Phone: (724) 836-5400
Fax: (724) 836-5149
stewart@zklaw.com
decourcy@zklaw.com
Counsel for Plaintiff

Phone: (304) 523-2100
Fax: (304) 523-2347
rhs@jenkinsfenstermaker.com
saw@jenkinsfenstermaker.com

and

Mary K. Prim (WVSB #7180)
Mary K. Prim, PLLC
P.O. Box 232
Scott Depot, WV 25560
Phone: (304) 932-4333
Fax: (304) 205-4342
mary@maryprim.com
*Counsel for Defendants BPI, Inc., John C.
Wells, and Kristen Wells*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

WESTFIELD INSURANCE COMPANY,

Plaintiff,

v.

CIVIL ACTION 3-17-CV-04602

**BPI, INC.,
JOHN C. WELLS,
KRISTEN WELLS,
BRIAN RITZ, and
KARIN RITZ,**

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Joint Notice of Settlement* was electronically filed with the ECF system on April 4, 2019, which will send notification of such filing to the following counsel of record:

George N. Stewart, Esq.
Dara A. DeCourcy, Esq.
Zimmer Kunz, PLLC
132 South Main Street, Suite 400
Greensburg, PA 15601
Counsel for Plaintiff

Timothy Lafon, Esq.
Ciccarello Del Giudice and LaFon
1219 Virginia Street, Ste. 100
Charleston, West Virginia 25301
Counsel for Defendants Brian Ritz and Karin Ritz

/s/ Sarah A. Walling
Sarah A. Walling, Esquire (WVSB #11407)

JENKINS FENSTERMAKER, PLLC
Post Office Box 2688
Huntington, West Virginia 25726-2688